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7 *Attorneys for Defendants Bank of America, NA*
8 *and Nationstar Mortgage, LLC*

10 UNITED STATES DISTRICT COURT
11 FOR THE STATE OF NEVADA

13 JACQUELINE MANZANO,

14 Plaintiff,

15 v.

16 NATIONAL DEFAULT SERVICING
17 CORPORATION, BANK OF AMERICA, NA
18 fka COUNTRYWIDE HOME LOANS
SERVICING, LP and NATIONSTAR
19 MORTGAGE, LLC dba NSM RECOVERY
SERVICES, INC.,

20 Defendants.

Case No.: 2:15-cv-00074-GMN-PAL

DEFENDANTS' EMERGENCY MOTION
TO EXTEND TIME TO RESPOND TO
COMPLAINT BY 20 DAYS

(First Request)

22 Defendants Bank of America, NA (**Bank of America**) and Nationstar Mortgage, LLC
23 (**Nationstar**, and collectively with Bank of America “**defendants**”) move to extend the time to file
24 initial responsive pleadings under Federal Rule of Civil Procedure 6(b) and Local Rule 6-1.
25 Defendants' initial responsive pleading is currently due on February 5, 2015.

26 **I. CASE BACKGROUND.**

27 This dispute arises out of a the servicing of a loan secured by a deed of trust encumbering the
28 real property located at 1951 Corvette Street, Las Vegas, Nevada 89142. Plaintiff alleges a number

1 of federal and state claims against Nationstar and Bank of America including purported violations of
 2 the Fair Debt Collections Practices Act and Fair Credit Reporting Act, Invasion of Privacy, Slander
 3 of Title, violations of NRS 107.080, et. seq. *See* Compl. [Dkt. 1].

4 **II. GOOD CAUSE EXISTS TO GRANT DEFENDANTS' REQUEST FOR AN EXTENSION OF TIME.**

5 Defendants seek an additional 20 days to respond to the complaint. Counsel for defendants
 6 attempted to contact the plaintiff prior to making this request. However, Ms. Manzano has not
 7 responded to the attempts to communicate. Thus, defendants file this motion out of abundance of
 8 caution so that it can be adjudicated by the Court before the current February 5, 2015 deadline.

9 Defendants' counsel was just recently retained on this matter. The undersigned is currently
 10 in the process of obtaining and reviewing defendants' records related to this case, including the loan
 11 files, servicing records, and all documents recorded on the subject property. Additionally, counsel
 12 must review the pleadings in Ms. Manzano's six federal lawsuits, one state court suit, and
 13 bankruptcy. These records are essential to allow defendants to formulate the most appropriate
 14 response, which may be a motion to dismiss, an answer and counter-claim, a motion for summary
 15 judgment, or some combination.

16 It is also appropriate to allow defendants additional time to respond because the request is not
 17 being made for an improper purpose, and no party will be prejudiced by the requested relief. This
 18 case was initiated on January 14, 2015. [Dkt. 1]. Plaintiff served defendants shortly thereafter. *Id.*
 19 [Dkts. 5, 6]. Plaintiff has not moved for injunctive relief or otherwise submitted any request
 20 demonstrating that she would be prejudiced by the brief extension requested by defendants.

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1 **III. CONCLUSION.**

2 Based on the forgoing, the Court should grant the requested extension of 20 days to respond
3 to Plaintiff's complaint, from February 5, 2015 to February 25, 2015.

4 DATED this 3rd day of February, 2015.

5 **AKERMAN LLP**

6
7 /s/ Allison R. Schmidt

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14 *Attorneys for Defendants Bank of America, NA*
15 *and Nationstar Mortgage, LLC*

16 IT IS SO ORDERED this 9th day
17 of February, 2015.

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19 Peggy A. Leen

20 United States Magistrate Judge
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 3rd of February, 2015 and pursuant to FRCP 5, I served by depositing for mailing in the U.S. Mail a true and correct copy of the foregoing **DEFENDANTS' EMERGENCY MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT BY 20 DAYS**, postage prepaid and addressed to:

Jacqueline Manzano
1951 Corvette Street
Las Vegas, Nevada 89142

Plaintiff in proper person

/s/ Lucille Chiusano

An employee of AKERMAN LLP

AKERMAN LLP

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